

## ENERGY INDEPENDENCE, OFFICE OF[350]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 469.3, the Office of Energy Independence hereby gives Notice of Intended Action to adopt Chapter 5, "Energy Efficiency Community Grant Program," Iowa Administrative Code.

The proposed new chapter establishes a competitive grant program to make funding available to local communities from four percent of the moneys appropriated annually to the Iowa Power Fund.

These rules do not provide for a waiver.

Consideration will be given to all written suggestions or comments on the proposed rules received on or before July 21, 2009. Such written materials should be sent to Robert Grayson, Office of Energy Independence, Lucas State Office Building, Des Moines, Iowa 50319; by facsimile to (515)281-4225; or by electronic mail to [robert.grayson@iowa.gov](mailto:robert.grayson@iowa.gov).

These rules are intended to implement 2009 Iowa Acts, Senate File 452, section 2.

The following amendment is proposed.

Adopt the following **new** 350—Chapter 5:

#### CHAPTER 5

#### ENERGY EFFICIENCY COMMUNITY GRANT PROGRAM

**350—5.1(469) Purpose.** The purpose of the energy efficiency community grant program is to make funding available to local communities for energy efficiency projects or programs. The program is established with moneys from the Iowa power fund, which is under the authority of the Iowa office of energy independence pursuant to Iowa Code chapter 469.

#### **350—5.2(469) Definitions.**

*"Eligible applicant"* means a group that has a tax identification number; that has community betterment or environmental issues as its mission; and that has a community-based, county-based or regional energy efficiency project or program.

*"Eligible project"* means any project or program that would save energy dollars or energy units.

*"In kind"* means any matching funds in the form of salaries and materials. Equipment and indirect costs will not be counted as in-kind matching funds. Volunteer hours that are submitted for salary match must use an hourly rate equivalent to the average national hourly earnings of all production and nonsupervisory workers on private, nonfarm payrolls as determined by the U.S. Bureau of Labor Statistics.

**350—5.3(469) Requests for applications.** The office shall determine the form of the application and issue requests for applications a minimum of two times during a fiscal year.

**350—5.4(469) Geographic distribution.** Consideration will be given to applications based on distribution throughout Iowa's five congressional districts. The office may consider multiple applications from the same community. The office may take into account geographic distribution in determining awards.

**350—5.5(469) Criteria for review.** In reviewing applications, the office shall consider the following:

**5.5(1) *Energy efficiency.*** The office shall consider the project's ability to reduce energy consumption and save energy units and dollars spent on energy.

**5.5(2) *Collaboration.*** The office shall consider the following:

*a.* Whether the project establishes or supports a community-based, county-based or regional energy efficiency project or program.

*b.* The breadth and depth of community, county or regional involvement in the energy efficiency project or program.

*c.* The involvement of local schools, civic organizations, chambers of commerce, and private groups.

*d.* The project's support of any existing or proposed ordinances encouraging energy efficiency and conservation or energy efficient building code provisions and enforcement.

*e.* The project's efforts to secure local funding for the community-based, county-based or regional energy efficiency project or program or for a funding sustainability plan.

**350—5.6(469) Project approval and award of funds.** Projects shall be approved by the director of the office after staff review and recommendation. All funding decisions shall be reported monthly to the Iowa power fund board. Funds will be distributed to approved projects based on mutually agreed-upon contract terms.

These rules are intended to implement 2009 Iowa Acts, Senate File 452, section 2.